

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA NORTHERN
DIVISION

IN RE :

CIVIL ACTION NO: 2:06-CV-274-MHT

AFFIDAVIT

Before me the undersigned, Personally
Appeared Mark Wheeler who states as follows: (Facts),
My Name is Mark Shannon Wheeler and being Sworn, I am
over the age of 19, and I have personal knowledge concern-
ing my Forgoing statement. I hereby swear that I have
been a resident in Montgomery County Alabama for more
than six (6) months prior to the date of the undersigned.
I am currently in Prison at Kilby Correctional Facility, Ais#
139044-K-125, P.O. Box 150, Mt. Meigs, AL 36057. My
Prison I.D.# is 139044, and K-125 is my sleeping quarters.
I am currently serving a life sentence. My original Presched-
uled Parole review date was set by the staff at the ALA-
bama Bd. of Pardons and Paroles in compliance with my sent-
ence of life in 1994. It was scheduled for September 2003,
which is a 10 year guideline setting. But because the parole
Board was 22 months (twenty-two), late for my prescheduled
Parole review date, (my case being considered violent) was not
reviewed until July 13th, 2005. I was denied Parole and re-
scheduled for July 2010. The total duration of calculated
time (in months) and (years) between my granted given Parole dates
is 6 (six) years and (10) ten months. The maximum "set-off" allowable
by law in 1994 when I was sentenced is (3) three years. My orig-
inal review date for September was not in a timely manner be-
cause the staff under Executive Director Bill Segrest (and
himself) "did not" contact the supposed victims family in my
case "on time". I am legally due a re-review at this time be-
cause with a max (3) year allowable set off from September 2003
when my hearing was due, forward 3 years (three) as a max set
off would legally reschedule me for September, 2006, immediately.
I was set off 5 years, which conflicts with the sentencing structure
of 1994 when I was sentenced. I am due an immediate Parole review.
I, the Affiant am competent to testify to these matters herein, and I
have not violated the 2 year statute of limitations.

Before me the undersigned authority in and for said County and State on this
20th day of September, 2006, Personally appeared MARK SHANNON WHEELER
whose name is signed to the Forgoing Affidavit, and being sworn by me, has
stated that he has read the Affidavit, and knows the contents thereof,
and the same are true and correct to the best of his knowledge, in form-
ation and belief. MARK SHANNON WHEELER SWORN TO AND SUBSCRIBED
before me this the 30th day of September, 2006. Anthony M. Porter
My Commission expires 12-15-2009. NOTARY PUBLIC